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**Notice of Allowability**

Application No.

10/815,866

Examiner

Sherry L. Estremsky

Applicant(s)

MIYATA ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed April 2, 2004.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 1-11 allowed.
2. The following is an examiner's statement of reasons for allowance:

No reference nor combination of references was found which teaches a fluid pressure control circuit including a fluid pressure device operated by fluid pressure, a communication passage connected to the fluid pressure device, a control valve having a valve element, a circulation regulating mechanism or means provided in the communication passage, and two feedback chambers provided in the control valve, wherein a first feedback passage introduces fluid to the first feedback chamber from a portion between the circulation regulating mechanism or means and the control valve, a second feedback passage introduces fluid to the second feedback chamber from a portion that is between the circulation regulating mechanism or means and the fluid pressure device, and both feedback chambers apply fluid pressure to the valve element in the same direction, as required by claims 1 and 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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U. S. Patent 4,747,808 (Moan) May 1988 - discloses a fluid pressure control circuit with a fluid pressure device, a communication passage, a control valve, and an orifice located in the communication passage between the fluid pressure device and the control valve, with feedback lines located on opposite sides of the orifice. The two feedback lines each also include an orifice and each introduces fluid to a feedback chamber, but the chambers apply pressure to two different valve elements, and in different directions.

U. S. Patent 4,889,016 (Kuwayama et al.) December 1989 - U. S. equivalent of JP 61-154696 (7-88898).

U. S. Patent 5,957,260 (Kunii) September 1999 - discloses a fluid pressure control circuit with a fluid pressure device, a communication passage, a control valve, and two feedback passages. No circulation regulating means is included in the communication passage.

U. S. Patent Application Publication 2004/0206076 (Morise et al.) October 2004 - discloses a fluid pressure control circuit with a fluid pressure device, a communication passage, a control valve, a circulation regulating mechanism in the communication passage, and two "pressure difference detecting" passages connected to opposite sides of the circulation regulating mechanism and providing fluid pressure to a valve element in two different directions.

The following patents each disclose a fluid pressure control circuit including a fluid pressure device, a communication passage, a control valve with a valve element, a predetermined pressure regulating load, a first feedback chamber applying pressure to the valve element, and a first feedback passage connected between the communication passage and feedback chamber:

U. S. Patent 4,487,304 (Young) December

U. S. Patent 5,054,599 (Marcott) October 1991

U. S. Patent 5,342,253 (Mizobe et al.) August 1994

U. S. Patent 5,366,420 (Kuriyama et al.) November 1994

U. S. Patent 5,722,459 (Kim et al.) March 1998

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U. S. Patent 6,089,364 (Kunii) July 2000

U. S. Patent 6,350,214 (Murasugi) February 2002

U. S. Patent 6,499,577 (Kitamoto et al.) December 2002


U. S. Patent 6,591,958 (Moorman) July 2003

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherry L. Estremsky whose telephone number is (571) 272-7090. The examiner can normally be reached on Tuesday and Friday from 7:30 a.m. to 6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on (571) 272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free):

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SHERRY ESTREMSKY  
PRIMARY EXAMINER  
AU3681 9-30-05